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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN SYNDER, SR.,

Defendant.

2:10-CR-554-LDG (GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 23, 2011, defendant BRIAN SYNDER, SR., pled guilty to Count Two of a Three-Count Criminal Indictment charging him in Count Two with Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2). Docket #1.

This Court finds defendant BRIAN SYNDER, SR. agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment and in the Amended Bill of Particulars and agreed to in the Plea Memorandum. #1.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment, the Bill of Particulars and the Plea Memorandum and the offense to which defendant BRIAN SYNDER, SR. pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and 2253(a)(3):

...

- a) any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received; computer images, including movie and still image files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained;
- b) Sony digital camera, serial number 639532, with memory stick;
- c) Compaq Presario computer, serial number CNH54400TZ;
- d) a Welldone 512 MB flash driver card bearing no serial number;
- e) Sony Camcorder with 5 videotapes and power supply;
- f) Sandisk 2 gb flash drive, serial number BE0917214353G;
- g) Sandisk 4 gb flash drive, serial number BH0904NVPB;
- h) Sandisk 2 gb flash drive, serial number BE0806NKIB; and
- i) an e-machine computer, serial number CGM8410005278 ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of BRIAN SNYDER, SR. in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, or the *Las Vegas Review Journal/Sun*, a newspaper of general circulation, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the

1 name and contact information for the government attorney to be served with the petition, pursuant
2 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
4 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
6 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
7 following address at the time of filing:

8 MICHAEL A. HUMPHREYS
Assistant United States Attorney
9 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
10 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
11 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
12

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
14 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
15 following publication of notice of seizure and intent to administratively forfeit the above-described
16 property.

17 DATED this 23 day of Aug, 2011.

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20 UNITED STATES DISTRICT JUDGE
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